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Faculty of Humanities

Doctoral Dissertation

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Society of Noble Judges in North-Eastern Hungary from the Age
of the Angevins to the Battle of Mohács

The Example of Šariš County

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The aims, scope, sources and methods

In my dissertation I examine the social characteristics of a special group of the lesser nobility, the people who held the position of the noble judge (*iudex nobilium, szolgabíró*). According to the previous scholarship they belonged to the so-called “county nobility” which means that the scope of their influence, career and relationship remained within the borders of their county or at best in the nearby counties. A typical county did not exist in the medieval Hungarian Kingdom because the structure of the estates landowning and stratification of the noble society differed by counties and regions as well. For this reason, and because of the observations of the recent literature, I chose one county, Šariš (Sáros), in my thesis for a detailed examination. Nevertheless, I did not leave out of consideration the other counties of the region where Šariš was situated. I compared my observations about Šariš to its neighbour counties especially Abov (Abaúj) which had a long common history (e. g. common origin, later cooperation) with Šariš. I also reflected to the statements and results of similar research and examinations of the nobility of other counties.

The main sources of my thesis were the charters of the county authority of Šariš. Unfortunately while the notary of the county took some registry about these documents at the end of the Middle Ages but that archive was not preserved by now. The more than thousand charters of the county remained mostly in the archives of the chapter of Špis, the convention of Jasov and in the archives of the local noble families (e. g. Kapy, Soós of Sívár and Berzeviczy families). In these archives there are other important documents about the life and landowning of the noble society of the county. Furthermore, the archives of some “noble judge” families were also preserved. Moreover, a lot of interesting data remained regarding the county authority and the noble society, in the archives of the royal towns of Prešov, Bardejov and Košice as well.

The first known certainly genuine charter of Šariš County was issued by 1329. It mentioned the office of the noble judges but did not named the officeholders. The first known noble judge of the county was Nicholas who held his office in 1335. While traditionally the Hungarian medievalists consider the year of 1526 as the border of the Hungarian medieval history my dissertation deals with a longer period up until 1545. The reason behind my decision regarding dealing with longer period is that one particularly important tax census was made in that year which presents the estate structure of the county in the late Middle Ages.

My conclusions were drawn from the reconstruction of the families and social contacts of the officeholders. For that very reason I used the methods of the genealogy and I had to explore

their landowning history as well. Since members of a special group of the local society were the subject of my dissertation, who were common in the same office holding, I had to analyze the administration of the county, the local peculiarities of its functioning and made good use of the methods of the archontology and prosopography as well.

The main observations regarding to the county authority

The office of the noble judges is one of the most important attributes of the medieval Hungarian counties' administrative structure. Although, officially the "ispán" (*comes*) was the leader of the county in Hungary, but in practice the "alispán" (*vicecomes*) and the noble judges were responsible for the management of the administration. While the *vicecomes* was appointed by the *comes* from among his own vassals, the noble judges were elected by the community of the county. In the most counties the noble judges usually held their offices for 2–3 years at once. Nevertheless, some of the officeholders remained in their administrative position more than ten years, for example in Šariš, Emeric Ternyei held his office continuously from 1502 to 1522. However, we must be cautious regarding these data, because frequently occurred that the nobles of the county from time to time re-elected a previous officeholder. Unfortunately, we have a very little information about the process and date of the election. It seems that in Šariš the dates of the elections were haphazard and were not connected to any specific feast or term. Another interesting question is that if there was any connection between the districts of the county and the situation and location of the estates of the elected noble judges. Thanks to the tax registers from 1427 and 1545 we can map the four districts of Šariš, and the changes of their borders as well. On the whole I can say that in the medieval Šariš county the local nobility was striving to elect one noble judge from each district. Albeit it did not always happen.

The main task of the noble judges was the assistance of the *comes* or the *vicecomes* who sat in judgement on the nobles of the county. The noble judges often served summons on the nobles or inquired in the field. Thanks to the act of 1486 they had to note down the names, status and the statements of the interrogated people. Some of the handwritten letters of the noble judges of this period remained, so they could make these notes personally. Another time the county authority deputed the notary with the noble judge to the interrogation. The noble judges also took part in the levy, they had to get the debits and fines. In the late Middle Ages their tasks increased. According to the act of 1498, the barons could keep the half of the royal tax of their peasants whence they had to conscript battalions. The county got the half of the tax which had to be paid by the serfs of the lesser nobles. The nobility of the county elected a *thesaurarius*

from the wealthier nobles who managed the budget of the county, but the concrete tasks of the levy often remained to the noble judges. The county authority also had to hire the mercenaries from this money. Finally, from 1504 the noble judges also got the task of giving licences to the serfs who wanted to move and did not owe to their landlords.

The noble judges got salary for these tasks. They had a share from fines which were inflicted by the judicial court of the county, and they usually earned four florins per head from the royal taxes. Moreover, in the end of the Middle Ages the noble judges and the notary of Šariš got a special salary from the estates which were possessed by Bardejov by noble right. Additionally, there were other tasks in the county which did not belong to the office of the noble judge but often were achieved by the noble judges when they were in place or when they resigned. They often stood for the wealthier nobles or the burghers and town councils as lawyers, and became arbiters in their arrangements. They got some additional money for these tasks as well.

Homo noster – Homo vicecomitis

In most of the counties there were ad-hoc-elected nobles who helped the authority – the *vicecomes* and the noble judges – with the citations or inquisitions. They were called *homo* or *testimonium provinciae*, *homo vicecomitis*, or simply *homo noster*. Their number and function depended on the counties. In the fourteenth-century Šariš the “homines” did their duties as companions of one of the noble judges. They often used a seal which belonged presumably to the *vicecomes*. The “homines” could substitute for the noble judges, mostly in that cases when the place of the inquisition laid far for the home of the officeholders, or when the noble judges had other more important duties. However, these “homines” could substitute for the *vicecomes* as well. For example, in Zemplín (Zemplén) County, one of the the neighbour county of Šariš distinguished the “homines” of the noble judges and the “homines” of the *vicecomes*. In the Age of King Mathias Corvinus and *Comes* Emeric of Szapolyai the alispáns sometimes delegated their ad hoc deputies with the noble judges to help them and follow up their process. These deputies took the same tasks as the former “homines”, they represented the *vicecomes* in the more important inquisitions. Few decades later, in the beginning of the 16th century the noble judges frequently teamed by “homines” who represented the ispán or the alispán. They often were the retainers of the *comes*. These phenomenon were observable not just in Šariš, but the nearby counties – Abov, Zemplín, Špis – as well.

Genealogical observations

In spite of that we know about a hundred noble judges from the examined period, only the third of them are officeholder families. Furthermore most of the families descended from a common ancestor, because the major part of the noble judges of Šariš belonged to the *genus* Tekele. When I reconstructed the family trees of the families I could modify and augment the information about the *genus* Tekele and the families which stemmed from it. Pál Engel observed that in the fifteenth century the most important families of Szabolcs County descended from kinships of the Árpáadian era. Thanks to the Tekele-kinship there were a high proportion of the noble judges who also descended from that kindred. Among the other noble judge families we found a few families with same lineages. For example the Gergelylaki family descended from the *genus* of Miskolc, while the Kellemesi and Kendi families belonged to the kinship of Baksa. There also were more noble judges who descended from Gyármán, another common ancestor from the 13th century. Many officeholders belonged to the Trocsányi and Kakas/Csuda families as well. Notably, that among the relatives of the noble judges we can find other local officeholders such as jurymen, delegates or *vicecomites*.

Devaluation of the noble judge office in the Angevin era

Pál Engel observed on the county of Užska (Ung) that the first noble judges came from the wealthier families (20–100 serf plots), but from the 1360's rather the members of the petty nobility (0–15 serf plots) held the office of noble judge. Furthermore, from the 1380's usually the poorest nobles were elected to this office who generally did not possess any serf plots. Engel generalized his observations to other counties. However, the analyses of Šariš and the nearby Abov have a different outcome.

Although we know lot of noble judges of Šariš from that period, unfortunately the charters only referred them with their given names, only few of them can be identified. Nevertheless, the major part of the identified noble judges belonged to the wealthiest and most prestigious lesser nobility of the county. However, I have found less wealthier nobles in the 1330's as well. The first officeholders of Šariš belong to that families whose members also held this office in the later centuries. That phenomenon noticeable in Abov County as well. Some of the noble judges of the 14th century in both of the counties established “magisterial dynasties”, the descendants of these kinships held the position of the noble judge during the 15th and 16th centuries as well. Additionally, in both of the counties the new families who joined to the

officeholders in the Age of King Sigmund did not belong to the impoverished nobles. They were petty nobles but they possessed 5–15 serf plots on their own right. In Šariš that part of the nobility – even the same families – continuously held the office in the second half of the 15th century as well. In addition, the former officeholder kinships which in the meantime impoverished contemporaneously disappeared from the positions of the county administration.

The text of the law regarding to the wealth, status and the reality

The second article of the statute of 1435 stated that the noble judges had to be elected from among the wealthier and more influential nobles. Fifty-one years later King Mathias also reassert that criterion and in addition double the penalty of the wealthier nobles who repel the noble judge position. In 1492 King Wladislaw II undid more statements of the statute of King Mathias for example the measurement of that penalty. Ferenc Szakály said that the articles of these royal acts regarding to the wealth and status of the county officeholders were not put into practise. Nevertheless Tibor Neumann who analysed the status of the members of the newly established juror office of Nitrianska (Nitra) discovered that the county tried to fit to the text of the law – at least in the first year after the statute of King Mathias.

In 1435 we can find new people in the noble judge office in Šariš whose family presumably were not held that position before. The new officeholders were wealthier or they have an influential patron among the barons. However few years later they disappeared from the office, and re-appeared the former “traditional” families. It was a reasonable aftermath especially because the war-time in the midst of the 15th century. In addition, the *comes* of the county in this period was Jan Jiskra, a Czech warlord. In that troublous time the continuance of the noble judges mean the constancy in the county. When Jiskra and his captains was defeated the new *comes* of Šariš became Emeric Szapolyai who mostly appointed local nobles to his deputy. Nonetheless in the office of the noble judges there were not any change remained the former families in that position. The real shift happened in 1487 thanks to King Mathias aforementioned statute.

The new members of the position was wealthier (30–40 plots or more) than the former noble judges, this statement based on the tax register of 1427. Similarly to the aftermath of the statute of 1435 some of the new more influential families disappeared from the office a few years later. However, most of the new families remained in the position and their members became noble judge in the first half of the 16th century and supposedly later as well. The alteration of the officeholder families was necessary because of economic changes. In Šariš

especially assumed considerable proportions of the diminishing of the serf plots. Thus the new noble judge families who had 30–40 plots, in the first half of the 15th century in the end of the Middle Ages only possessed 5–15 plots. Nevertheless, they did not become definitely impoverished because in this time the landlords arrented the “deserted” plots and they used that possessions to livestock raising in this region. Some of the noble judges also bred horses in his deserted plots.

Relationship within the noble society of the county and beyond

Beside the lineages and marriages, the most important aspect of the system of noble relations was the *familiaritas*, the relation with the lord and his retainers. In Šariš county there were two types of service among the noble judges and their closest relatives. The first typical carrier led to the *familia* of the *comes* especially when he also held the castle of Šariš. The other option was to serve the five or six wealthy *benepossessionatus* (well-to-do) noble families (Tarkői, Berzevici, Sóvári Sós, Kapi, Sebesi, Somosi) of the county who also held castles. Most of the relatives of noble judges served one or more of them and they became *officiales* or castellans in their castles or estates. Moreover, when these wealthy noblemen became the *comes* of the county, they were their *vicecomes*. The third type of the service connected to the *familia* of the barons. In Šariš this career was less significant, mostly that officeholders retained barons who became noble judge as an effect of the statutes of 1435 and 1486. This carrier only in the Jagellonian period became common in the county.

The other accented part of the network of relations were the alliances by marriages. We can find several examples for affinities and marriages among different noble judge families. Most of these families were related to each other by blood or marriages. Furthermore in the north-eastern part of the medieval Kingdom of Hungary there were a lot of examples of marriages between the noble judge families of different, neighbour counties. The geographical scope of that kind of networks extended to the nearby counties. It is also important to state that there were not any borderline between the noble judge families and that wealthier group of the nobility who held the position of *vicecomes*. We can find extended relationship between noble judges, *vicecomites*, jurimen or the captain of the county battalion. Despite of the number of the estates all of these families belonged to the same group of the noble society: the “county nobility”.

An interesting part of the relationship which can be observable between the lesser nobility and the burghers of Prešov and Bardejov. In some cases, there were marriages between the two

group, and sometimes the burgher who took a noble girl to wife and acquire some lands could become a noble. In other cases the relation between the nobility and the bourgeoisie related to business. The nobles pledged their estates or deserted plots to a burgher on loan. These nobles could be financiers of the business, in this region typically the horse trade. There were official projections of this relationship as well, the noble judges often became lawyers of the burghers or the council.

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